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January 8, 2024

Via ECF

Hon. Taryn A Merkl, U.S.M.J.
United States District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, NY 11201

Re: Status Report and Extension of Time to Complete Discovery
Qi v. JD Produce Maspeth LLC et al, 21-cv-03211-WFK-TAM

Your Honor,

We represent the plaintiff in the above referenced matter. We write with defendants in regard to Your Honors order dated October 25, 2023, that the parties are to write to the court regarding the status of discovery and whether the parties would like to be referred to mediation or a settlement conference on or before January 8, 2024. The parties additionally respectfully request an extension of time of forty-five (45) days to complete discovery in the matter. This is the parties third request with Your Honor granting the previous two and such request will not prejudice any party in the above referenced matter.

As the parties reported to the court in their last status report that the depositions of the parties would be completed by the end of December, the parties though needed to reschedule the depositions due to some last-minute emergencies on plaintiff's end. Plaintiffs tried to reschedule the depositions to early January, but defendants were not available to hold depositions during that point and therefore the parties were unable to come up with dates to hold depositions prior to the close of discovery.

The parties though have come up with new deposition dates in February and both sides have confirmed their attendance at the depositions. With the depositions happening in mid-February though, the parties would need a little extension of time to complete the depositions of the parties and any post-deposition discovery that may be needed. The parties believe that forty-forty (45) days extension from the deadline that is currently set, January 29, 2024, would be sufficient to finish up the remainder of discovery in the above referenced matter.

The parties additionally agree that it is their position that they would like to be referred to mediation after the completion of discovery in the above referenced matter.

For the reasons stated above, the parties respectfully request for a forty-five (45) day extension to complete discovery, meaning that all discovery be completed by March 14, 2024. The parties further request that all other deadlines be extended accordingly.

We thank the court for their time and consideration in the above-referenced matter and apologize for the inconvenience.

Hon. Taryn A Merkl, U.S.M.J.

January 8, 2024

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Respectfully submitted,
TROY LAW, PLLC

/s/ John Troy

John Troy

Attorney for Plaintiffs

cc: via ECF
all counsel of record

JT/gd